

**Baldwin, Edward**

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**From:** Keith Choper <KChoper@kempartners.com>  
**Sent:** Friday, April 24, 2015 10:50 AM  
**To:** Rice, Scott  
**Cc:** Flocke@phila.k12.pa.us; Junod, Gerald  
**Subject:** Disposal Documentation - PCB material generated at Strawberry Mansion and Girls HS 04242015  
**Attachments:** to USEPA ltr and disposal docs strawberry and girls 04242015.pdf

Dear Scott:

In accordance with historic project protocols, this email transmits documentation regarding the PCB wastes that were generated and disposed during the permanent removal from service of the PCB transformers at Girl's High School and Strawberry Mansion High School. This information is essentially extracted from the PCB Annual Log that was developed for the School District for calendar year 2014. I do not believe that any action on your part is required – the information is being provided for your files and to assist in the ultimate administrative close out of these locations.

Please let me know if you have any questions/comments regarding the enclosed.

*In reflecting on our celebration of Earth Day earlier this week, I am ONLY sending this 33 page document electronically – please let me know if you want it provided in paper format!*

Enjoy your weekend – perhaps warmer weather that resembles spring time will return.

Keith

**Baldwin, Edward**

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**From:** Keith Choper <KChoper@kempartners.com>  
**Sent:** Thursday, February 12, 2015 10:46 AM  
**To:** Rice, Scott  
**Subject:** FW: EPA - PCBs CONSENT DECREE 1997  
**Attachments:** CONSENT DECREE ORDER 9-11-97.pdf

**Importance:** High

I thought you should have a copy!

**From:** Chism, Dawn [mailto:dchism@philasd.org]  
**Sent:** Thursday, February 12, 2015 10:22 AM  
**To:** 'Locke, Francine'; 'Jerry Junod'; 'Floyd, Danielle'; 'Clark, Leigh'; 'Gerald Thompson'; 'Strehle, Mark'; 'Dickson, Kenneth'; 'Ken Longo'; 'Myers, Kathleen'; Keith Choper  
**Cc:** 'Shore, Miles'; 'Michael Davis'  
**Subject:** FW: EPA - PCBs CONSENT DECREE 1997  
**Importance:** High

2/12/15

**URGENT**

Everyone,

Here is a copy of the fully executed 1997 Consent Decree and Order of Court for the PCB cleanup, removal and remediation.

Deputy General Counsel Miles Shore located this legal document for us.

Please include the fully executed Consent Decree and Order of Court in all contract specifications/documents that involve any PCB transformer cleanup, removal or remediation work.

Thank you.

Dawn

Dawn Renee Chism  
Assistant General Counsel  
The School District of Philadelphia  
Office of General Counsel  
440 North Broad Street - 3rd Floor  
Philadelphia, PA 19130-4015  
Telephone #: (215) 400-4120  
Fax #: (215) 400-4121  
Email: [dchism@philasd.org](mailto:dchism@philasd.org)

**From:** Shore, Miles [<mailto:mhshore@philasd.org>]  
**Sent:** Wednesday, February 11, 2015 9:46 AM  
**To:** Dawn Chism  
**Cc:** Michael Davis  
**Subject:** EPA - PCBs CONSENT DECREE 1997

Attached in PDF format is the Consent Decree and Order of Court entered in Civil Action No.97-3829 on 9/11/97. Please distribute this Decree to the clients and others as needed.

OGC's file on the EPA Compliance Project is in drawer #42 in the file room.

Miles H. Shore, Deputy General Counsel  
The School District of Philadelphia  
Phone: 215.400.5162 Fax: 215.400.4121

**Baldwin, Edward**

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**From:** Keith Choper <KChoper@kempartners.com>  
**Sent:** Tuesday, February 10, 2015 10:46 AM  
**To:** Rice, Scott  
**Subject:** in the event u r monitoring emails - consent decree

Scott:

Do you have/can you get (quickly) a FULLY executed copy of the consent decree for the school district's PCB project – the one I have and have always used is executed by the district but not EPA and the DOJ – the attorneys for the firm who had the drips at strawberry mansion are “demanding” a fully executed copy

Any assist you can provide would be mucho appreciated!

kc

**Baldwin, Edward**

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**From:** Keith Choper <KChoper@kempartners.com>  
**Sent:** Wednesday, November 26, 2014 8:59 AM  
**To:** Everett, Carl B.  
**Cc:** flocke@philasd.org; 'Gerald Junod' (gfjunod@philasd.org); Paul Davis; Rice, Scott; Keith Choper  
**Subject:** PCB Removal and Disposal Plan - Deed notice Strawberry Mansion HS  
**Attachments:** FINAL combined PCB removal and disposal plan 11252014.pdf

Dear Carl:

Enclosed is the PCB Removal and Disposal Plan for Strawberry Mansion HS that is a component of the deed notification that is to be formally recorded relative to the summer of 2014 event that resulted in additional PCB impacted concrete. I am forwarding this to you on behalf of the School District's Office of Environmental Management & Services.

The enclosed Plan is based upon the "Final Report" that was submitted just the other day to USEPA for review and approval. I recognize there is some risk that USEPA may have comments on the Final Report that could then have an effect on the PCB Removal and Disposal Plan but, for a number of reasons, I think the risk is small so, in my opinion, you can proceed with the development of the deed notification. (btw – I have discussed this approach with our point-of-contact at the Agency (Scott Rice) and to enable USEPA to see the progress being made, I have copied Scott on this email which also provides him with a copy of the PCB Removal and Disposal Plan.)

Any questions, please contact me. I would appreciate your keeping me "in the loop" on the deed notification so I can report on progress in our Progress Reports to the Agency.

Have an enjoyable holiday!

Regards  
Keith

**From:** Everett, Carl B. [mailto:CEverett@saul.com]  
**Sent:** Wednesday, November 05, 2014 11:26 AM  
**To:** Keith Choper  
**Cc:** Paul Davis; flocke@philasd.org; 'Gerald Junod' (gfjunod@philasd.org)  
**Subject:** RE: DRAFT PCB Removal and Disposal Plan - Deed notice Strawberry Mansion HS

Keith

Your items 1-3 make sense to me. The draft plan looks fine as well. We'll await a notice to proceed.

Carl B. Everett  
Saul Ewing LLP  
3800 Centre Square West  
1500 Market Street  
Philadelphia, PA 19102  
(215) 972-7171  
[ceverett@saul.com](mailto:ceverett@saul.com)

**From:** Keith Choper [<mailto:KChoper@kempartners.com>]

**Sent:** Tuesday, November 04, 2014 4:32 PM

**To:** Everett, Carl B.; [flocke@philasd.org](mailto:flocke@philasd.org); 'Gerald Junod' ([gfunod@philasd.org](mailto:gfunod@philasd.org))

**Cc:** Paul Davis; Keith Choper

**Subject:** DRAFT PCB Removal and Disposal Plan - Deed notice Strawberry Mansion HS

Dear All:

Enclosed is a DRAFT of the "PCB Removal and Disposal Plan" (version 11-04-2014). The sole purpose of this document is to be a component of the deed notification for the "new" contaminated concrete at the Strawberry Mansion High School.

To a certain extent, this "PCB Removal and Disposal Plan" is (1) similar to the previously prepared PCB Removal and Disposal Plan" that was a component of the June 2010 deed notice and (2) is an abbreviated version of the "Final Report" that focuses on the PCB release and interim remedial actions that occurred at Strawberry Mansion HS this past summer. (The Final Report is not finalized and is currently being reviewed by the School District's Office of Environmental Management and Services prior to its mandatory submission to USEPA for approval.)

I do not believe, based upon the Consent Decree, that the "PCB Removal and Disposal Plan" or the deed notification require USEPA approval – the only requirement is that the plan be officially recorded, etc. I do suggest that as a courtesy, that the deed notice be provided to USEPA (Scott Rice) prior to officially proceeding with the recording.

So, perhaps this is a long way of saying:

1. Please let me know if there are any comments on the PCB Removal and Disposal Plan;
2. Unless someone thinks otherwise, I believe that Carl Everett/Saul Ewing can proceed to finalize the deed notice;
3. I assume that we agree that prior to proceeding with the deed recording that the USEPA will be afforded the opportunity to look at the document.

Thanks!

Keith

"Saul Ewing LLP " made the following annotations:

+~~~~~+

This e-mail may contain privileged, confidential, copyrighted, or other legally protected information. If you are not the intended recipient (even if the e-mail address is yours), you may not use, copy, or retransmit it. If you have received this by mistake please notify us by return e-mail, then delete.

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**Baldwin, Edward**

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**From:** Keith Choper <KChoper@kempartners.com>  
**Sent:** Tuesday, February 10, 2015 11:10 AM  
**To:** Rice, Scott  
**Subject:** RE: in the event u r monitoring emails - consent decree

Thanks,,,,it is funny – I know that I NEVER had one – the School District appears not to have one either – so the only hope is that USEPA or DOJ has one,,,

Sorry to put you thru this!

kc

**From:** Rice, Scott [mailto:Rice.Scott@epa.gov]  
**Sent:** Tuesday, February 10, 2015 10:58 AM  
**To:** Keith Choper  
**Subject:** RE: in the event u r monitoring emails - consent decree

Oh man dude.....that may be a tall order. I'll check with Joyce Howell, to see if Ruggero left her an executed copy. I don't have an e-copy, but I'll look through the mega-huge hard copy file and see if there is one in there.

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Scott:

Do you have/can you get (quickly) a FULLY executed copy of the consent decree for the school district's PCB project – the one I have and have always used is executed by the district but not EPA and the DOJ – the attorneys for the firm who had the drips at strawberry mansion are "demanding" a fully executed copy

Any assist you can provide would be mucho appreciated!

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**Baldwin, Edward**

⑥

**From:** Keith Choper <KChoper@kempartners.com>  
**Sent:** Wednesday, February 11, 2015 10:24 AM  
**To:** Rice, Scott  
**Subject:** RE: in the event u r monitoring emails - consent decree

Hopefully, this will satisfy all that are concerned!

Thanks again

kc

**From:** Rice, Scott [mailto:Rice.Scott@epa.gov]  
**Sent:** Wednesday, February 11, 2015 10:15 AM  
**To:** Keith Choper  
**Subject:** RE: in the event u r monitoring emails - consent decree

Joyce sent it down to me. John must have e-mailed it to her. She said the main hard file is in archives somewhere (like that storage building at the end of the Indiana Jones movie)...

**From:** Keith Choper [mailto:KChoper@kempartners.com]  
**Sent:** Wednesday, February 11, 2015 9:13 AM  
**To:** Rice, Scott  
**Subject:** RE: in the event u r monitoring emails - consent decree

That is sort of strange! **Thanks!** I appreciate it – was this in your files or did you have to go to Philadelphia files?

kc

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kc

**From:** Keith Choper <KChoper@kempartners.com>  
**Sent:** Friday, August 08, 2014 10:55 AM  
**To:** Rice, Scott  
**Cc:** flocke@philasd.org; Junod, Gerald; Paul Davis; Keith Choper  
**Subject:** RE: School Dist of Phila - Strawberry Mansion HS - small release report 08072014

Scott:  
Possible for you to send some kind of concurrence email so I can keep it in my file – I think this side would feel better having that!  
Thanks and enjoy your weekend!  
Keith

**From:** Keith Choper  
**Sent:** Thursday, August 07, 2014 1:50 PM  
**To:** 'rice.scott@epa.gov'  
**Cc:** flocke@philasd.org; 'Junod, Gerald'; Paul Davis; Keith Choper (kchoper@kempartners.com)  
**Subject:** School Dist of Phila - Strawberry Mansion HS - small release report 08072014

Dear Scott:

The purpose of this email is to confirm our conversation that occurred this date at approximately 11:30 AM regarding an event that occurred during activities associated with the removal of a PCB transformer from the School District of Philadelphia's Strawberry Mansion High School. This report is applicable to the Allis Chalmers transformer with the serial number 3475168 which, prior to removal actions, contained approximately 255 gallons of Chlorextol.

During operations associated with the transfer of PCB fluids, a small amount of PCB fluid was released from transformer identified above. Actually, no fluid transfer operations were occurring from the transformer at the time – the sample/low point valve on the transformer was closed, it having been previously open to enable the pumped transfer of dielectric fluid from the transformer to a drum. In addition to the valve being closed, a threaded plug was inserted into the outlet. There was plastic sheeting and adsorbent pads under the valve.

Apparently, some small amount of fluid (estimated to be "ounces") leaked from the valve and contacted the concrete floor below the valve. The plastic apparently had holes/a tear in it, which was not previously observed.

The contractor utilized rags to clean up the fluid from the concrete floor, thereby "smearing" the dielectric fluid. In the final analysis, perhaps an area of 2 ft by 1.5 ft was impacted. Based on visual observations, no fluid or "smearing" occurred beneath the footprint of the transformer.

The cleanup plan which we discussed will include:

1. Cleaning of the smeared floor surface area with "simple green" or other detergent (pre-cleanup wipe sampling for delineation purposes is not proposed).
2. Double epoxy coating of the impacted area – the area being cleaned and coated will be visually defined and will be conservative in comparison to the smeared area although, at this time, it is not anticipated that any epoxy coating would need to extend below the footprint of the transformer. In general terms (i.e., other than below the footprint of the existing transformer) the epoxy encapsulated area will extend approximately 12" beyond the visually defined area of the "smear". Appropriate measurements from non-movable benchmarks as well as photographs will be taken for historical reference.
3. Wipe sampling of the newly installed epoxy coated floor area to confirm a wipe sample PCB concentration of less than or equal to 10ug/100cm<sup>2</sup>.

4. Providing USEPA with a written letter/report of the remedial actions that were taken, inclusive of wipe sample results and dimensioned sketches of the encapsulated area.
5. Providing USPEA with a written letter/report regarding the removal of the PCB transformers, including disposal documentation.
6. Modification of the existing deed notification to ensure that the epoxy encapsulated area is recorded.

I would appreciate your comments/concurrence with the plan that is described above.

It is my belief that with this notification to you, there is no one else in the Federal system that I need to notify.

Thank you for your continued assistance.

Regards  
Keith Choper

**Baldwin, Edward**

9

**From:** Keith Choper <KChoper@kempartners.com>  
**Sent:** Monday, August 11, 2014 9:52 AM  
**To:** Rice, Scott  
**Cc:** [flocke@philasd.org](mailto:flocke@philasd.org); Junod, Gerald; Paul Davis  
**Subject:** RE: School Dist of Phila - Strawberry Mansion HS - small release report 08072014

Thanks Scott – I appreciate the response.

I hope you had a good weekend – weather here was great!!!!

I shall keep you informed of our progress at both Strawberry Mansion and Girls – which I hope will be completed in another week or so – and then the paperwork follows!

KC

**From:** Rice, Scott [<mailto:Rice.Scott@epa.gov>]  
**Sent:** Monday, August 11, 2014 9:50 AM  
**To:** Keith Choper  
**Cc:** [flocke@philasd.org](mailto:flocke@philasd.org); Junod, Gerald; Paul Davis  
**Subject:** RE: School Dist of Phila - Strawberry Mansion HS - small release report 08072014

Hi Keith, I concur with the prescribed plan as indicated below.

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5. Providing USPEA with a written letter/report regarding the removal of the PCB transformers, including disposal documentation.
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Regards  
Keith Choper

**Baldwin, Edward**

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**From:** Keith Choper <KChoper@kempartners.com>  
**Sent:** Friday, May 22, 2015 11:26 AM  
**To:** Rice, Scott  
**Subject:** RE: Strawberry Mansion - for discussion with S. Rice re proposed samling program

Scott:

Thanks for the speedy reply!

I will catch up with you next week.

Enjoy the long weekend!

Keith

**From:** Rice, Scott [mailto:Rice.Scott@epa.gov]  
**Sent:** Thursday, May 21, 2015 10:11 AM  
**To:** Keith Choper  
**Cc:** Junod, Gerald; dchism@philasd.org; Flocke@phila.k12.pa.us; Miles Shore (mshore@phila.k12.pa.us); madavis@philasd.org; Dickens, Aquanetta  
**Subject:** RE: Strawberry Mansion - for discussion with S. Rice re proposed samling program

Good morning Keith et al.

Regarding issue 1: Since many TSCA PCB regulations and requirements have been changed or amended since the signing of the Consent Decree, as we had discussed, I would rather handle the spill and proposed cleanup associated with the PCB Transformer at Strawberry Mansion High School as its own separate entity, and propose that it not be included under the general CD. There are specific requirements in the CD that are not applicable or appropriate for recent spills of PCBs. Most of these modified/amended requirements/regulations were updated in 1998 with the promulgation of the PCB Mega Rule. That being said, to follow the exact letter of the CD in response to recent or future spills would be in contradiction to some of the aforementioned updated regulations. For the spill in question, the assessment and remedy would be covered under the Self-implementing PCB Cleanup Regulations at 40 CFR 761.61(a) and would have to meet the requirements for the assessment sampling, including frequency and number of samples collected, as well as collection techniques using the standard SOPs for core sampling porous surfaces. In addition, verification sampling would also have to be conducted in compliance with the requirements identified under the Self-implementing PCB Cleanup Regulations.

Regarding issue #2, this is consistent with USEPA's Site Revitalization Guidance under TSCA. The PSD is still the owner of the location where the transformer spill occurred. Likewise, as PSD owned the transformer that spilled, they also own the requirement to submit a 761.61(a) self-implementing PCB cleanup plan for the associated spill, that meets the current specified requirements for conducting a self-implementing cleanup. Regarding scenario 2(a), assuming that the assessment sampling indicates that remediation is NOT required, then there would be no associated requirement for having the double epoxy coating or having the location identified as a restricted, low occupancy status, or the associated monitoring that is required for such locations. Assuming that the sampling indicates that remediation is required, then one of two options could be considered to address the location. Either PSD or their agent can remove the contaminated concrete to below restricted levels, which would deem the area "clean", thereby eliminating any monitoring or reporting requirements, or the PSD can utilize and implement the requirements of 761.30(p), which authorizes continued use of PCB-contaminated concrete, but requires the double epoxy coating, labeling, and associated monitoring, as well as inclusion in the PSD's Environmental Management Plan, and a deed restriction noting the location of the identified area that has PCB concentrations above applicable cleanup levels. All entities proposing to implement 761.30(p) must follow these requirements, and it is not specific to the PSD Consent Decree.



Regarding scenario 2(b), this is making a huge assumption. Assuming the 761.61(a) Self-implementing PCB cleanup plan for the associated location is developed and implemented in accordance with the associated and appropriate regulations, the agency and PSD could assume, with a high degree of probability, that the area is clean and free of PCBs. However, as you are already aware, it is completely unfeasible to assume that future sampling would assure 100% confidence that PCBs above applicable cleanup levels would not be found in any potential location within or outside the impacted area. This is true for PSD, as well as any other entity performing self-implementing PCB cleanup at a particular site. So, assuming scenario 2(b) does result in the discovery of PCBs above applicable cleanup levels during a due-diligence assessment, then PSD would be responsible for conducting additional assessment and evaluation, and if required decontamination, removal and associated disposal, and/or management. The decision to remove the existing encapsulant, assuming bulk sampling indicates the area is "clean", is between Carr and Duff/AMEC/PSD. There is no regulation against a painted floor where no PCB contamination is present. In the interest of clarity and potential future actions, it would seem prudent to remove the encapsulant to ensure that the "clean" area isn't confused with areas previously determined to be contaminated and that are encapsulated and are included in the CD.

As per the regulation at 761.61(a)(4)(i)(A), Bulk PCB Sampling in the area of the spill would require that all samples collected from the impacted area indicate that PCB concentrations are equal to or less than 1 ppm to achieve unrestricted high-occupancy status. As mentioned earlier, and assuming all samples are equal to or less than 1 ppm PCB, this still does not "relieve" PSD from future obligations associated with this location in the event PCBs are discovered there in the future. As the owner of the transformer that was associated with the spill, as well as the property the spill occurred on, PSD is still the responsible party for any and all PCB contamination at this location as well as any other location owned by PSD.

The sample locations, considering the relative recent date of the spill, as well as the relative immediate response and associated cleanup, should be biased to attempt to sample the most highly impacted locations where the spill occurred, as well as boundary samples to attempt to identify the extent of contamination laterally. I would think that a collaboration between the people who were onsite when the spill occurred would at the very least narrow the assessment area down so that sampling would occur as close to the impacted area as possible.

I see no reason why the area assumed to be impacted from the transformer can't be left "as is" until the 761.61(a) plan is developed, submitted and approved by EPA. Until analytical data indicates otherwise, and in the interest of safety and risk, the location should be assumed to be contaminated until analytical data is evaluated. There are no PCB regulations that specify floor or concrete restoration requirements following decontamination or removal (such as scabbling). Porous surfaces with PCBs equal to or less than 1 ppm are unregulated.

Regarding the core sampling, I don't have it with me at the moment, but the EPA has a Standard Operating Procedure for collecting bulk concrete core samples. The proposed core sampling should follow this SOP. I think it might be on our PCB web page at [www.epa.gov/pcb](http://www.epa.gov/pcb). If it isn't, I will get you a copy of it when I get back to the office (I am out today and tomorrow and Monday). I will reacquaint myself with this SOP, but I'm almost sure it requires perpendicular drilling. It would be hard to evaluate or determine an extent of contamination with angular drilling.

I hope these responses assist you with the questions you had and scenarios you presented. Currently, there is not a lawyer assigned to this case, as John Ruggero retired and it has not been re-assigned. If you prefer to have our folks at our Office of Regional Counsel evaluate your questions and scenarios, I will be happy to get one of them involved, though they are incredibly busy at the moment and might not get to this for a while. That being said, I'm confident that their evaluations and responses would closely mirror mine.

Regards

**From:** Keith Choper [<mailto:KChoper@kempartners.com>]

**Sent:** Wednesday, May 20, 2015 3:41 PM

**To:** Rice, Scott

**Cc:** Junod, Gerald; [dchism@philasd.org](mailto:dchism@philasd.org); [Flocke@phila.k12.pa.us](mailto:Flocke@phila.k12.pa.us); Miles Shore ([mshore@phila.k12.pa.us](mailto:mshore@phila.k12.pa.us)); [madavis@philasd.org](mailto:madavis@philasd.org); Keith Choper

**Subject:** Strawberry Mansion - for discussion with S. Rice re proposed sampling program

Dear Scott:

In my own words, the School District is philosophically agreeable to having Carr & Duff/AMEC proceed with the core sampling program at Strawberry Mansion High School that they have discussed with you and written to the District about.

That being said, the District would feel more comfortable if they could get your opinion/comments on the items described below (also attached) in advance of giving final approval to proceed. For this discussion to make sense, I have also enclosed the AMEC letter that describes the work that they want to perform at Strawberry Mansion.

Would it be possible for Jerry Junod of the School District's Office of Environmental Management & Services and I to discuss with you the items below? The sooner we can have the discussion the better, as Carr & Duff's attorney is "pushing" to get the work scheduled. Assuming you are amenable to having the conversation, when is good for you?

Thanks

Keith

May 20, 2015

**RE: Items to Discuss with USEPA  
Relative to AMEC's Letter of April 30, 2015  
Strawberry Mansion HS**

Amec Foster Wheeler Environmental & Infrastructure (AMEC) provided the School District of Philadelphia with a letter titled "Work Plan for Collection of Confirmation Samples – Transformer Area, Strawberry Mansion High School" (copy attached). The AMEC letter was not sent to USEPA. The letter was provided to the School District as a vehicle for obtaining approval to conduct sampling following a release of PCB fluids during the removal of a PCB transformer from this location. At the time of the release, an "interim remedial" action was completed (that action included the double epoxy coating of the floor in the area of the spill and the analysis of post-encapsulation wipe samples) and the work was reported to USEPA.

As part of our evaluation of the AMEC submission, outlined below are some items that we would like to discuss with USEPA.

1. We find it somewhat strange that the Consent Decree, which was part of the Contract Documents, is not mentioned in the AMEC correspondence. We assume that if the work is completed as described by AMEC, that the USEPA will provide written assurance that the work satisfies the requirements of TSCA and all Consent Decree requirements applicable to the specific spill.
2. AMEC's approach includes only the collection of bulk samples of concrete. Wipe sampling is not. While this is perhaps consistent with USEPA's Site Revitalization Guidance under TSCA, this seems contrary to the USEPA authored Consent Decree which establishes cleanup criteria based upon the results from wipe samples of porous concrete surfaces. If USEPA does not require any wipe sampling as part of the confirmation sampling in this specific instance and AMEC and USEPA determine that no further remediation is required, we would like USEPA to evaluate, in advance of the performance of the proposed sampling, what would happen in the following reasonably anticipated scenario:
  - a. The existing epoxy encapsulated surface deteriorates over time, as SDP would be under no obligation to inspect or maintain the coating;
  - b. A wipe sample of the area is taken (perhaps as part of a potential purchaser's due diligence evaluation of the property) and the wipe sample fails to satisfy the Consent Decree criteria.

Depending upon the responses to the above, if the bulk sampling determines no future action is required, should it be a requirement of the work, that Carr & Duff remove the floor encapsulant in order to obtain one or more wipe samples of the bare concrete floor surface?

3. Without regard to the previous inquiry regarding wipe sampling, we seek confirmation that all 10 core samples would need to satisfy the less than 1 ppm criteria in order for the School District to be relieved of any future obligations under TSCA and the Consent Decree. (To avoid later discussion, it should also be confirmed prior to the receipt of results, if the criteria is less than 1 ppm of PCB or is it less than or equal to 1 ppm of PCB.)
4. The spill area is noted to be approximately 3 square feet; the encapsulated area is approximately 9 square feet. AMEC proposed to collect samples from 5 core sample locations. While they have not requested assistance from the School District in determining the precise locations of those samples, it would appear that the location of the core samples should be biased to the actual area of the spill as opposed to locating the samples as if the entire 9 square feet is the area of concern. If the sample results show an acceptable level of PCBs in the core samples, how will USEPA evaluate if the sample locations were appropriately located?
5. What is the Consent Decree's/USEPA's requirement with regard to restoration of the floor where sampling occurred during the interval between the time samples are collected (and the results are unknown) and the time that the AMEC sampling report is evaluated by USEPA? Can the disturbed epoxy encapsulated floor be left "as is" pending USEPA's review and approval of the sampling plan and analytical data?
6. While it is not an SDP "issue" per se, AMEC notes that each sample will contain a minimum of 30 grams of sample (core sampler 2-3 centimeter (cm) in diameter; depth of sample 1 cm). USEPA's Site Revitalization Guidance indicates that a 0.5 inch deep hole (1.27 cm) created by a 1 inch diameter drill (2.54 centimeter) generates approximately 10 grams of concrete powder. Assuming the drilling is done perpendicular to the floor surface, it would not seem that the amount of material expected would be generated. We note that a call to Eurofins Lancaster Laboratories Environmental, LLC (the laboratory that AMEC intends to use) confirmed that 30 grams of concrete is required. Thus, it brings up the question of is the drilling being done perpendicular to the floor, is angle drilling being contemplated or are samples being composited? The School District is assuming that only drilling which is perpendicular to the floor surface will be deemed acceptable.

**Baldwin, Edward**

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**From:** Keith Choper <KChoper@kempartners.com>  
**Sent:** Wednesday, June 24, 2015 4:35 PM  
**To:** Rice, Scott  
**Cc:** Locke, Francine; Junod, Gerald; ceverett@saul.com; Keith Choper  
**Subject:** Recorded Deed Notification - Strawberry Mansion HS 06242015  
**Attachments:** ltr and deed notification Strawberry Mans 06242015.pdf

Dear Scott:

Enclosed please find the recorded deed notification for the PCB encapsulated concrete that was associated with the summer of 2014 replacement of the PCB transformers at Strawberry Mansion High School (this encapsulated concrete is associated with the former transformer with the serial number 3475168).

Unless you advise otherwise, I am only sending an electronic copy.

*When you can, would you please give me a call.*

Thanks

Keith

**From:** Keith Choper <KChoper@kempartners.com>  
**Sent:** Thursday, August 07, 2014 1:50 PM  
**To:** Rice, Scott  
**Cc:** flocke@philasd.org; Junod, Gerald; Paul Davis; Keith Choper  
**Subject:** School Dist of Phila - Strawberry Mansion HS - small release report 08072014

Dear Scott:

The purpose of this email is to confirm our conversation that occurred this date at approximately 11:30 AM regarding an event that occurred during activities associated with the removal of a PCB transformer from the School District of Philadelphia's Strawberry Mansion High School. This report is applicable to the Allis Chalmers transformer with the serial number 3475168 which, prior to removal actions, contained approximately 255 gallons of Chlorextol.

During operations associated with the transfer of PCB fluids, a small amount of PCB fluid was released from transformer identified above. Actually, no fluid transfer operations were occurring from the transformer at the time – the sample/low point valve on the transformer was closed, it having been previously open to enable the pumped transfer of dielectric fluid from the transformer to a drum. In addition to the valve being closed, a threaded plug was inserted into the outlet. There was plastic sheeting and adsorbent pads under the valve.

Apparently, some small amount of fluid (estimated to be "ounces") leaked from the valve and contacted the concrete floor below the valve. The plastic apparently had holes/a tear in it, which was not previously observed.

The contractor utilized rags to clean up the fluid from the concrete floor, thereby "smearing" the dielectric fluid. In the final analysis, perhaps an area of 2 ft by 1.5 ft was impacted. Based on visual observations, no fluid or "smearing" occurred beneath the footprint of the transformer.

The cleanup plan which we discussed will include:

1. Cleaning of the smeared floor surface area with "simple green" or other detergent (pre-cleanup wipe sampling for delineation purposes is not proposed).
2. Double epoxy coating of the impacted area – the area being cleaned and coated will be visually defined and will be conservative in comparison to the smeared area although, at this time, it is not anticipated that any epoxy coating would need to extend below the footprint of the transformer. In general terms (i.e., other than below the footprint of the existing transformer) the epoxy encapsulated area will extend approximately 12" beyond the visually defined area of the "smear". Appropriate measurements from non-movable benchmarks as well as photographs will be taken for historical reference.
3. Wipe sampling of the newly installed epoxy coated floor area to confirm a wipe sample PCB concentration of less than or equal to 10ug/100cm<sup>2</sup>.
4. Providing USEPA with a written letter/report of the remedial actions that were taken, inclusive of wipe sample results and dimensioned sketches of the encapsulated area.
5. Providing USPEA with a written letter/report regarding the removal of the PCB transformers, including disposal documentation.
6. Modification of the existing deed notification to ensure that the epoxy encapsulated area is recorded.

I would appreciate your comments/concurrence with the plan that is described above.

It is my belief that with this notification to you, there is no one else in the Federal system that I need to notify.

Thank you for your continued assistance.

Regards



**From:** Keith Choper <KChoper@kempartners.com>  
**Sent:** Wednesday, May 20, 2015 3:41 PM  
**To:** Rice, Scott  
**Cc:** Junod, Gerald; dchism@philasd.org; Flocke@phila.k12.pa.us; Miles Shore (mshore@phila.k12.pa.us); madavis@philasd.org; Keith Choper  
**Subject:** Strawberry Mansion - for discussion with S. Rice re proposed sampling program  
**Attachments:** for discussion with USEPA - AMEC strawberry mans .docx; ltr to DAWN chism from attorney 05142015.pdf

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